

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

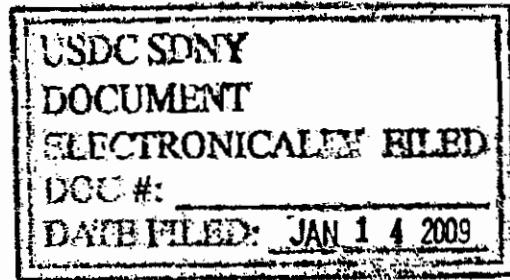
DAVID Z. WEBSTER, et al.,

Plaintiffs,

-against-

SMITHFIELD ASSOCIATES, LLC,

Defendant.



No. 08 Civ. 166 (LTS)(KNF)

ORDER

The settlement hearing in the above-captioned case, currently scheduled for Friday, January 30, 2009, at 9:30 a.m. is adjourned to Friday, February 13, 2009, at 2:00 p.m. in light of the need for further follow-up on returned mail, as explained in Plaintiffs' counsel's January 12, 2009, letter. Plaintiffs' counsel is directed to send new Notices of Settlement to class members whose addresses have been retrieved by performing "skip traces" with the proposed cover letter submitted to the Court with counsel's January 12, 2009, letter, with the following modifications: (1) Counsel is to add a sentence or two to the first paragraph of the letter indicating that class members who have already obtained a copy of the paperwork and returned an opt-out notice or blue form, need not do so again, and if the class member does choose to send in a new opt-out or blue form, the newer form will override any earlier form that may have been sent in; (2) Counsel must change the response deadline to February 2, 2009, and change the date of the Fairness hearing to the new date and time specified in this Order; and (3) the Judge's name should be written out as Laura Taylor Swain.

Counsel are also directed to prepare and file a certificate identifying objectors and

opters-out, and responding to any objections, by February 9, 2009.

SO ORDERED.

Dated: New York, New York  
January 14, 2009

*[Handwritten signature]*  
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